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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,740	12/19/2001	Heidrun Steinhauser	NL000734	4451

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EXAMINER

PATEL, ASHOK

ART UNIT PAPER NUMBER

2879

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

CH

Office Action Summary	Application No.		Applicant(s)	
	10/024,740		STEINHAUSER ET AL.	
	Examiner		Art Unit	
	Ashok Patel		2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2879

1. The drawings are objected to because in Figure 1, it is unclear as to what the line between apertures 281 and 284 is for. The drawing Figure 3 does not show the second and fourth electrodes being applied with a first static voltage.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawings the second and fourth electrodes must be shown as applied with the first static voltage or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 6: the term "the electrodes" lacks appropriate antecedent basis. Since claims previously defines first, second and third electrodes, it remains unclear as to

Art Unit: 2879

whether the term "the electrodes" of line 6 refers to any two electrodes or all three electrodes.

Claim 1, line 4-5: the term "the electron beams" lacks antecedent basis. At line 6-7: the term "the electron beam" is inconsistent with term "electron beams" at line 4-5.

Claim 1, lines 11-13: the term "the main lens" lacks proper antecedent basis. The claim does not mention the main lens portion, not the main lens.

Claim 3, lines 2-3: the term "the second quadrupole field". Parent claim no. 1 does not define the quadrupole field. The term "means for generating the prefocusing field" lacks antecedent basis.

Claim 8 is not consistent with preamble of claim 1. Claim 1 is directed to a display device including a cathode ray tube. Alternatively, claim 8 includes redundant language since it already includes a display device of claim 1 and the display device of claim 1 already includes cathode ray tube. The Examiner proposes to present claim 8 in its independent version including all limitations of cathode ray tube of as recited in claim 1.

Claim 2, 4-7 are necessarily rejected since they depend upon claim 1.

Art Unit: 2879

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 5, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Noguchi (USPN 5,734,235).

Noguchi discloses applicant's claimed display device including a cathode ray tube (Figures 1, 6, 7 etc.); a deflection yoke (40); including an-inline electron gun (39) having: a main lens portion for generating main lens field (formed by at least electrodes 4 and 6); a pre-focusing lens portion formed by first, second and third electrodes (by electrodes 1 to 3 or by electrodes K to 2) with apertures for transmitting electron beam; means for generating an auxiliary lens field between the pre-focusing lens field and the main lens field, the deflection yoke arranged to deflect the electron beam across the display screen. The limitation "whereby, in operation, the intensity of the auxiliary lens field causes....." is narrative in form and therefore does not carry a patentable weight. In order to be given patentable weight, a

Art Unit: 2879

functional recitation must be expresses a "means" for performing the specified function, as set forth in 35 U.S.C. 6th paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language. In re fuller, 1929 C.D. 172: 388 O.G. 279.

In claim 2, the functional limitation "*adapted* to generate a first and second quadrupole fields....." is narrative in form and therefore does not carry a patentable weight as mentioned earlier in the rejection of claim 1.

In claim 3, the limitation "such that, in operation, only one prefocusing (lens) field and two quadrupole field are generated in the prefocusing lens portion is narrative in form and therefore does not carry a patentable weight as mentioned earlier in the rejection of claim 1.

In claim 5, the functional limitation "*adapted* to generate astigmatic lens field in the main lens portion, whereby....." is narrative in form and therefore does not carry a patentable weight as mentioned in the rejection of claim 1.

In claim 6, the functional limitation "*adapted* to generate an astigmatic lens field in the prefocusing lens portion whereby the intensity of the astigmatic lens field....." is narrative in form and therefore does not carry a patentable weight as mentioned in the rejection of claim 1.

Art Unit: 2879

6. Claims 1-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Son (USPN 5,404,071).

Son discloses applicant's claimed cathode ray tube (CRT) for a display device (col. 1, paragraph 1; at least Figures 6); inherently a deflection yoke; the CRT including an-inline electron gun having: a main lens portion for generating main lens field (F5); a pre-focusing lens portion formed by first, second and third electrodes (by electrodes 63, 64, 65) with apertures for transmitting electron beam; means for generating an auxiliary lens field (F2 or F3 or F5) between the pre-focusing lens field and the main lens field, the deflection yoke arranged to deflect the electron beam across the display screen. The limitation "whereby, in operation, the intensity of the auxiliary lens field causes the electron beam to leave....." does not carry a patentable weight as mentioned in the rejection of claim 1.

As to claim 4, Son discloses the fourth (66) to seventh (69) electrodes (Figure 6) with third, fifth and seventh electrodes applied with a static voltage (Vs)

In claims 2, 3, 5 and 6, the functional limitations are not given weight for reasons set for the in rejection in this office action.

Art Unit: 2879

7. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Prior art of the record does not disclose applicant's claimed display device of entire 1 *further* including a additional four electrodes respective first, second and third static voltages as specifically recited in claim 7.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takahashi and Stil each are cited for showing a general structure of an in-line electron gun of a CRT.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok Patel whose telephone number is 703-305-4934. The examiner can normally be reached on Monday-Thursday.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.


Ashok Patel
Primary Examiner
Art Unit 2879